

AUG 14 2006

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (408) 720-8300

INTELLECTUAL PROPERTY LAW
12400 WILSHIRE BOULEVARD, 7TH FLOOR
LOS ANGELES, CA 90025

FACSIMILE: (408) 720-8383

FACSIMILE COVER SHEETDeliver to: Jungwon Chang, USPTOArt Group: 2154Facsimile No.: (571) 273-8300Date: 8-14-06From: Daniel M. DeVos, Reg. No. 37,813Our Docket No.: 4906P038Number of pages 15 including this sheet.Application No.: 09/904,371Filing Date: 7/11/2001Docket Due Date(s): 8/13/2006

Enclosed are the following documents:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Amendment: <u>Response</u> (<u>14</u> pgs) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Appeal Brief (<u> </u> pgs) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application: <u> </u> | <input type="checkbox"/> Petition for: <u> </u> |
| (<u> </u> pgs) w/cover & abstract) | <input type="checkbox"/> Request for Continued Examination (RCE) |
| <input type="checkbox"/> Assignment & Cover Sheet (<u> </u> pgs) | <input type="checkbox"/> Reply Brief (<u> </u> pgs) |
| <input checked="" type="checkbox"/> Certificate of Facsimile | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i) |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request |
| <input type="checkbox"/> Declaration & POA (<u> </u> pgs) | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Drawings: <u> </u> sheets, <u> </u> figures | <input type="checkbox"/> Response to Written Opinion (<u> </u> pgs) |
| <input type="checkbox"/> Extension of Time: <u> </u> | <input type="checkbox"/> Terminal Disclaimer |
| <input type="checkbox"/> Fee Transmittal (in duplicate) | <input type="checkbox"/> Transmittal of Publication Fee Due |
| <input type="checkbox"/> IDS & PTO/SB/08 (<u> </u> pgs) | <input type="checkbox"/> Transmittal Letter |
| <input type="checkbox"/> Other <u> </u> | |

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Jane Dobkins 8/14/06
Jane Dobkins Date

Confidentiality Note: The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (408) 720-8300 and ask for Jane Dobkins.

AUG 14 2006

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/904,371 Confirmation No. 1379
First Named Inventor : Siegfried Luft et. al.
Filed : 7/11/01
For : Method and Apparatus for
Providing Scalability and
Fault Tolerance in a
Distributed Network
Examiner : Jungwon Chang
Docket No. : 4906.P038
Customer No. : 08791

MS: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 C.F.R. §1.116
-- EXPEDITED PROCEDURE --
EXAMINING GROUP 2154

RESPONSE UNDER 37 C.F.R. § 1.116EXPEDITED PROCEDURE -- EXAMINING GROUP 2154

Sir:

Responsive to the Office Action mailed on June 13, 2006, the Applicant respectfully requests the Examiner to consider the following remark:

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

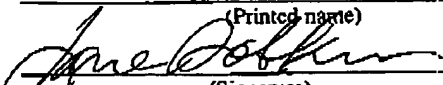
I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

8-14-06

(Date of Deposit)

Jane Dobkins

(Printed name)



8-14-06